IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

Bail Appl..No. 7477 of 2007()

CMP.7624/2007 of J.M.F.C.,KATTAKADA
C.R.130/07 OF ARYANAD EXCISE RANGE

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PETITIONER/IST ACCUSED

BINU, AGED 30 YEARS,
S/O.SURENDRAN, MALAYANTHERI THADATHARIKATHU
VEEDU, KOTTAKKAKAM, ARYANAD VILLAGE,
NEDUMANGAD TALUK.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.RAJAN VELLOTH
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7477 OF 2007 D

Dated this the 5th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 45 litres of arrack on 22/10/2007. He surrendered on 13.11.07 and continues in custody from that date. There is one other crime registered against the petitioner, submits the learned Public Prosecutor. Investigation is not complete.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the

strength of this order prior to 19/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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